

NAME: Johnny Patton
 RE: Motion to File an out-of-time Appeal
 CASE NUMBER: 12-60859

309CV570

IF the PETITIONER IS ABLE TO DEMONSTRATE BY A PREPONDERANCE OF THE EVIDENCE THAT HE REQUESTED AN APPEAL, PREJUDICE WILL BE PRESUMED AND THE PETITIONER WILL BE ENTITLED TO FILE AND OUT-OF-TIME APPEAL. ENCLOSED ARE WRITTEN NOTES, A COMPLAINT FILED WITH THE MISSISSIPPI BAR ASSOCIATION AGAINST ATTORNEY JOHN MCNEEL. ALSO THERE ARE PARTIES MR. PATTON CONTINUED TO CONFIRM MR. MCNEEL ACTIONS OR LACK THERE OF. IT WAS LEARNED BY THESE PARTIES THAT MR. MCNEEL HAD NOT FILED AN APPEAL NOR WAS THERE ANY EFFORT TO FILE ONE. THE INFORMATION MR. PATTON OBTAINED FROM THESE INDIVIDUALS LED TO MR. PATTON FILING THE APPEAL. MR. MCNEEL WAS ONLY TRYING TO BUY TIME. MR. MCNEEL CANNOT PRODUCE ANY RECORDS OR DOCUMENTS THAT HE OR HIS STAFF MADE ANY EFFORT TO CONTACT OR DISCUSS MR. PATTON'S APPEAL. MR. MCNEEL WOULD ONLY STATE "HE WAS TRYING TO FIGURE ONE OUT. SOMEONE WILL CALL FROM SEPTEMBER 27, 2012 TO THE PRESENT. AFTER REPEATED ATTEMPTS MR. PATTON HAS NOT HAD ANY COMMUNICATION WITH MR. MCNEEL. NOR HAS MR. MCNEEL MADE ANY EFFORT TO EXPLAIN HIS ACTIONS."

[Signature]
 4/11/2013

WHEN THE COMPLAINT WAS BEING FILED MR. MCNEAL INFORMED MR. PATTMAN HE WAS TRYING TO FIGURE AN APPEAL OUT. MR. MCNEAL STATED WITH CERTAINTY, SOMEONE FROM HIS OFFICE OR STAFF WOULD CONTACT EITHER FRIDAY OR MONDAY, MR. PATTMAN ABOUT AN APPEAL. IT WAS LEARNED SEVERAL DAY'S LATER MR. MCNEAL HAD NO INTENT ON FILING AN APPEAL. MR. MCNEAL HAD ONLY MADE FALSE OR UNTRUE STATEMENTS TO BUY TIME. MR. MCNEAL REFUSE TO RETURN ANY OF MR. PATTMAN'S CALLS OR GIVE AN EXPLANATION OF HIS ACTIONS. AFTER EXPLAINING MR. MCNEAL ACTIONS AND HOW MR. PATTMAN WAS REPRESENTED OR JACK THERE OFF. THE DISTRICT COURT INFORMED MR. PATTMAN HE COULD FILE HIS OWN APPEAL. ENCLOSED IS A COPY OF THE COMPLAINT FILED AGAINST JOHN MCNEAL WITH THE MISSISSIPPI BAR.

FACTS:

MR. PATTMAN REQUESTED MR. MCNEAL FILE AN APPEAL ON 10/27/2012 MR. MCNEAL SAID HE WOULD. IT WAS LATER HE DID NOT.

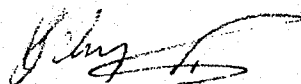
MR. MCNEAL MADE A VERBAL AGREEMENT TO FILE AN APPEAL MR. PATTMAN CONTACTED MR. MCNEAL SECRETARY REPORTEDLY ABOUT AN APPEAL SHE WOULD ONLY TAKE MESSAGES

MR. PATTMAN WAS CALLED BY:

VICKIE (JOHN MCNEAL'S) SECRETARY AFTER EXPLAINING DISMAY TO MR. MCNEAL SECRETARY. SHE WOULD ONLY CALL AND GIVE MR. PATTMAN, MR. MCNEAL CELL PHONE NUMBER WHICH FOR SOME REASON ONLY STATED CONNECTED FOR A FEW DAYS AFTER MR. PATTMAN CALLED.

DISTRICT COURT SECRETARY - EXPLAIN WHAT HAD TO BE DONE TO FILE AN APPEAL

DISTRICT COURT CLERK - CONFIRM INFORMATION

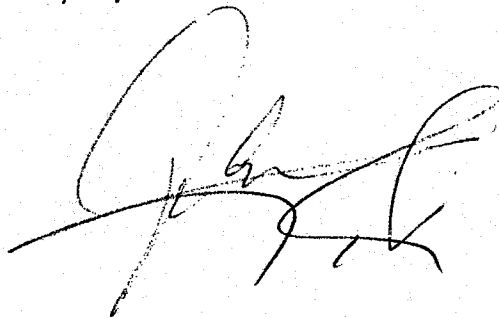


Copy of Complaint Filed Against John McNeal

MR. MCNEAL Completely ignored the Facts provided by the WITNESS'S STATEMENT, DEPOSITION, AND INTERROGATORIES AND the INFORMATION HE OBTAIN FROM HIS OWN INVESTIGATION. THIS IS AN ACT OF NEGLIGENCE AND MISCHIEVEOUS CONCEPT.

MR. MCNEAL FAIL TO PROVIDE FAIR, EQUITABLE treatment to the client. By NOT INVOLVING the client, with NO respect for the clients ABILITY to UNDERSTAND or RELATE to the issues. By NOT INVOLVING the client in the structure of the decision making process. MR. MCNEAL took IT UPON himself to make ANY AND ALL decisions without consulting the client. NOT WOULD MR. MCNEAL EXPLAIN ANY decisions, EVENTS or MEETING taking place INVOLVING the case. MR. MCNEAL WOULD NOT MAKE ANY EFFORT TO EXPLAIN why these decisions were made without the client KNOWLEDGE or INVOLVEMENT. AFTER NUMEROUS attempts By the clients Brother AND the client to get constant updates AND information. THE ONLY way MR. PATMAN learned ABOUT the case WAS NOT FROM MR. MCNEAL ... BUT THE INTERNET. THIS BEHAVIOR IS UNACCEPTABLE UNDER ANY CIRCUMSTANCE. A POOR display OF EFFORT.

10/17/2012

A handwritten signature in black ink, appearing to be "John McNeal", written over a horizontal line.

NOTES ON CASE

JANUARY (2012) NO CALLS AWAITING DECISION

FEBRUARY 4th CALL Circuit clerk WAS Told ABOUT Telephone CONFERENCE BETWEEN John McNEEM AND Judge.

Called John McNEEM Told Leave Message

FEBRUARY 15th CALL Circuit clerk Inform to CALL Judge ANDERSON To get CASE STATUS.

FEBRUARY 16th CALL Circuit clerk Inform ABOUT Telephone CONFERENCE AND A MOTION Filed one year Ago. A motion WAS Filed IN OCTOBER 2010, By Both Parties to SUSPEND A decision. Called John McNEEM Told Leave message.

FEBRUARY 17th CALL John McNEEM Told Leave Message

FEBRUARY 22nd CALL John McNEEM Told Leave Message

FEBRUARY 29th Called Circuit clerk (NO change IN STATUS)

MARCH 1st Told By Circuit clerk Awaiting Judge decision

MARCH 6th CALL Judge chambers Told By Judge Wingate Secretary Case WAS Active AND she would inform the Judge I called.

MARCH 16th One year Motion For Summary OF Judgement Filed

MARCH 23rd Called Circuit clerk office

MARCH 24th Called John McNEEM Told leave Number He will Return Call

MARCH 26th Called Judge chambers (Anderson)

April 3rd Called Judge chambers (Wingate) Told Judge HAS NO certain Amount OF Time to make A decision. THAT A Motion WAS Filed to STRIKE the Expert witness AND A Motion Filed For A Summary OF Judgement.

April 9th Talked to Circuit clerk ABOUT Case

April 9th Called John McNEEM Told to Leave A message

MAY NO calls From McNEEM (John After Repeated Attempts

JUNE NO calls From John McNEEM After Repeated Attempts

JULY NO calls From John McNEEM After Repeated Attempts

FROM MAY-July kept IN CONTACT Circuit clerk For INFO

August 3rd Called Circuit clerk Told NO CERTAIN AMOUNT
OF TIME CASE PENDING. TALKED TO NATE DEAN ABOUT
LAST ENTRY 2/16/2011

August 6th CALL CIVIL DIVISION

August 7th TALKED TO JUDGE CHAMBERS INFORM ABOUT JUDGE
ANDERSON FORWARDING CASE TO JUDGE WINGATE. ALSO INFORMED
ABOUT MINUTES FILED ON 2/16/2011 INSTRUCTED TO CONTACT
LAWYER ABOUT ADDITIONAL DETAILS.

August 7th CALLED JOHN MCNEEL TOLD TO LEAVE MESSAGE

August 28th CALLED CIRCUIT CLERK TOLD ABOUT MEETING
JOHN MCNEEL HAD WITH JUDGE WINGATE.

August 29th CALLED JOHN MCNEEL TOLD TO LEAVE MESSAGE.

August 29th CALLED CIRCUIT CLERK TOLD ABOUT MEETING
JOHN MCNEEL WITH JUDGE WINGATE (STATUS CONFERENCE)
AT 10:00 AM. ON SEPTEMBER 6th

September 6th DAY OF STATUS CONFERENCE NO CALL
OR ANY INFORMATION ABOUT THE CASE FROM MR. MCNEEL.

September 7th NO WORD FROM MR. MCNEEL.

September 10th CALL JOHN MCNEEL LEFT MESSAGE

September 13th CALL JOHN MCNEEL LEFT MESSAGE

September 17th CALL JOHN MCNEEL LEFT MESSAGE.

September 21st CALL JOHN MCNEEL LEFT MESSAGE

September 24th HEARD ROOMMATE FROM FRIEND CASE ON INTERNET.

September 27th CALL DAUGHTER TO CHECK INTERNET FOR CASE.

September 27th CALL JOHN MCNEEL OFFICE TOLD HE WAS IN
COURT LEFT MESSAGE

September 27th MR. PATTERMAN CALLED MR. MCNEEL A SECOND TIME
EXPRESSING DISMAY ABOUT HIS CASE AND HOW HE FEELING OUT.

MR. MCNEEL SECRETARY STATED HE WAS IN COURT AND SHE WOULD
DELIVER THE MESSAGE. A SHORT TIME LATER MR. PATTERMAN
RECEIVED A PHONE CALL FROM MR. MCNEEL SECRETARY
(VICKIE) ASKING MR. PATTERMAN TO CALL MR. MCNEEL PERSONAL
CELL PHONE. MR. PATTERMAN CALLED THE NUMBER IN ...